

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF)	
ILLINOIS)	
)	
Petition for an Order Pursuant to Section 8-509)	Docket No. 14-0380
of the Public Utilities Act Authorizing Use of)	
Eminent Domain Power.)	

**RESPONSE TO NOTICE OF ADMINISTRATIVE LAW JUDGE RULING
OF JUNE 13, 2014**

On June 13, 2014, the Administrative Law Judge issued a Ruling directing that ATXI submit a filing: (1) “indicating whether Robert Dees, Daniel Hughes, Chase Gilbert, and/or Andrew Langford provided significant real property appraisal assistance for any of the other appraisals related to parcels on which ATXI seeks eminent domain authority in this proceeding,” and (2) “If other individuals provided significant real property appraisal assistance on such appraisals, please indicate whether the individuals are licensed under the Real Estate Appraiser Licensing Act of 2002.” (Notice of ALJ Ruling (June 13, 2014).)

Regarding (1), Robert Dees, Daniel Hughes, Chase Gilbert, and/or Andrew Langford did not provide “significant real property appraisal assistance” for any of the other appraisals related to parcels on which ATXI seeks eminent domain authority in this proceeding, for the reasons given in ATXI’s Brief on Exceptions (BOE).

As ATXI explains in its BOE, the work performed by Dees, Hughes, Gilbert and Langford was mischaracterized as “significant appraisal assistance” on appraisal reports as a result of the appraisers’ attempts to provide transparency in the appraisal process. (See ATXI BOE at 6-7.) The certification included in each of the appraisals of the properties along the Meredosia to Ipava segment of the Illinois Rivers Project contained the same mischaracterization

of the work completed by Dees, Hughes, Gilbert and Langford. However, the actual tasks performed by the four individuals was not “significant appraisal assistance” for any of the appraisals, based on guidance from the Uniform Standards of Professional Appraisal Practice (USPAP).¹

The USPAP require that appraisal report certifications list all individuals who provide “significant appraisal assistance,” but neither Illinois law nor the USPAP defines that term. *See* USPAP Frequently Asked Question No. 247, p. F-114 (Appendix B to the BOE).² However, the USPAP provide guidance regarding when an individual should be identified in the certification. *Id.* Pursuant to this guidance, an individual provides “significant appraisal assistance,” and should therefore be included in the certification when that person “contribute[s] to the valuation analysis in a noteworthy way. *An individual who merely collects or provides data for use in the analysis does not provide significant appraisal assistance.*” *Id.* (emphasis added).

As further explained in ATXI’s BOE, the contributions of Dees, Hughes, Gilbert and Langford amounted to “gathering pertinent property and market data,” and preparing a preliminary template of the appraisal report. (Stock Ex. 1.03 (Conf.), p. 7; Stock Cross Ex. 1.0, response to data request Stock-ATXI 2.01; ATXI BOE, Appendix B, ¶ 4.) These individuals did not “contribute to the valuation analysis,” and their work was therefore not “significant appraisal assistance.” *See* USPAP Frequently Asked Question No. 247, p. F-114. ATXI’s appraisers included the names of these individuals in the certification statements to ensure that all assistance was identified. In their attempt to provide additional transparency, the appraisers mischaracterized these individuals’ work as “significant appraisal assistance.” (*See* ATXI BOE, Appendix B, ¶ 3.)

¹ The USPAP govern the conduct of appraisals, and have been incorporated by the Illinois Real Estate Appraisal Licensing Act of 2002 (REAL Act). 220 ILCS 458/10-10; 68 Ill. Adm. Code 1455.240.

² The USPAP are also available at www.uspap.org.

Regarding (2), no other individuals provided significant appraisal assistance with respect to the appraisals of properties along the Meredosia to Ipava segment of the Project. However, each appraisal is certified by three appraisers licensed in Illinois: Albert Allen, Bryan Glass, and Carlo Forni.

The ALJ Ruling also ordered ATXI to submit versions of Appendix A and Appendix B to ATXI's Initial Brief that were consistent with the conclusions of the ALJ's Proposed Order, and utilized a particular header format. The requested documents are attached hereto.

Dated: June 17, 2014

Respectfully submitted,

AMEREN TRANSMISSION
COMPANY OF ILLINOIS

/s/ Albert D. Sturtevant
One of its Attorneys

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CERTIFICATE OF SERVICE

I, Albert D. Sturtevant, an attorney, certify that on June 17, 2014, I caused a copy of the foregoing *Response to the Administrative Law Judge's June 13, 2014 Ruling* to be served by electronic mail to the individuals on the Commission's Service List for Docket No. 14-0380.

/s/ Albert D. Sturtevant

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